

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE COMPLAINT OF
CORNUCOPIA CRUISE LINE, INC.,

Plaintiff,

-against-

UNKNOWN DEFENDANT, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>7/28/2025</u>

24-CV-08462 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

On June 20, 2025, the Court scheduled default judgment motion practice with respect to Crossclaim Defendants ByFar Entertainment, LLC (“ByFar”) and F&D Security 2019, Inc. (“F&D”), directing that any motion for default judgment be filed no later than July 23, 2025. *See* Dkt. No. 40. ByFar appeared with counsel and responded to the First Amended Complaint and Claimants Melville and Peters’ crossclaim on July 9, 2025. *See* Dkt. No. 42. To date, F&D has not appeared.

On July 15, 2025, Claimants filed a proposed Certificate of Default, which was deemed deficient by the Clerk. *See* Dkt. No. 43. On July 22, 2025, Claimants filed various submissions, which appear to be in an attempt to cure the deficiencies flagged by the Clerk, *see* Dkt. Nos. 44–46, but did not file a new proposed Certificate of Default or any formal motion for default judgment against F&D, in accordance with the Court’s June 20 Order. *See* Local Civ. R. 55.1 & 55.2.

Accordingly, Claimants are admonished to carefully review this District’s Local Civil Rules, this Court’s Individual Rules, and, if necessary, contact the ECF Help Desk for assistance in making filings appropriately. It is further ORDERED that the briefing schedule for any motion for default judgment shall be ADJOURNED as follows:

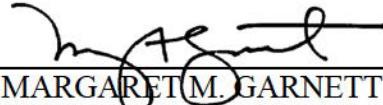
- Any motion for default judgment shall be filed no later than **August 4, 2025**;
 - Claimants must first successfully obtain a valid Clerk’s Certificate of Default;
 - Any motion for default judgment must be made in accordance with the Court’s Individual Rules & Practices, and, if any calculations are submitted in support of such a motion, native versions of the files with the calculations (*i.e.*, versions of the files in their original format, such as in “.xlsx”) must be emailed to the Court;
- The motion for default judgment shall be served no later than **August 6, 2025**, and proof of service shall be filed forthwith, no later than **August 8, 2025**;

- Any opposition shall be due no later than **August 18, 2025**.

All other dates and deadlines ordered by the Court in the June 20 Order shall remain in effect, including the Initial Pretrial Conference scheduled for **August 19, 2025 at 9:30 a.m.**

Dated: July 28, 2025
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge